

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EUGENE CRANE, Trustee of the)	
Bankruptcy Estate of Luke Burns, and)	
IWONA BURNOS,)	
)	
Plaintiffs,)	No. 12 C 484
)	
vs.)	Judge Dow
)	Magistrate Judge Denlow
VILLAGE OF CRESTWOOD,)	
CHRISTOPHER SODERLUND,)	
CHRISTOPHER HULL,)	
JEFFREY BELL,)	Jury Demand
ANNETTE KMIECIK, and)	
STEVEN GOMBOZ,)	
)	
Defendants.)	

PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT
AGAINST ALL DEFENDANTS

Plaintiffs, through counsel, Jackowiak Law Offices, respectfully move this Honorable Court to enter an order of judgment against all Defendants pursuant to Rule 55 of the Federal Rules of Civil Procedure. In support thereof, Plaintiffs state as follows:

1. On January 23, 2012, Plaintiffs filed the initial Complaint. (Dkt. 1.)
2. On February 24, 2012, Defense counsel appeared on behalf of the Village of Crestwood, and on April 16, 2012, Defense counsel appeared on behalf of the remaining Defendant-Officers. (Dkt. 6, Dkt. 8.)
3. On May 10, 2012, Defendants filed a Motion to Dismiss and Motion for Judgement on the Pleadings. (Dkt. 12-17.)
4. On January 29, 2013, Defendants' motions were denied and Plaintiffs were granted leave to file a Second Amended Complaint. (Dkt. 41.)
5. Plaintiffs filed a Second Amended Complaint on February 18, 2013. (Dkt. 43.)
6. Between February and June, 2013, Plaintiffs agreed to multiple extensions of time for Defendants to file an Answer to the Second Amended Complaint.

7. Defendants failed to file an Answer.
8. Defense counsel then assured Plaintiffs' counsel that he would get an answer on file by our most recent status date of June 13, 2013.
9. Defendants did not file an answer on June 13.
10. On June 13, this Court agreed to give Defendants an additional week to answer, by June 20, 2013. (Dkt. 50.)
11. Defendants did not file an answer on June 20.
12. Plaintiffs' counsel then agreed to Defendants filing an answer by July 15.
13. Defendants have still not filed an answer to the Second Amended Complaint.
14. It has been five months since Plaintiffs' Amended Complaint was filed.
15. During those five months, Plaintiffs' counsel had multiple phone conversations with opposing counsel, sent emails, and sent a letter about Defendants' outstanding answer.
16. Defense counsel made repeated assurances that he would get a Complaint on file, but has not done so.
17. Plaintiffs' most recent letter to opposing counsel is attached. (Ex. 1.)
18. Rule 55 requires that default judgment must be entered when a party has failed to plead or otherwise defend an action. Fed.R.Civ.P. 55. The amount of any judgment remains to be determined by the jury at trial.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court enter an order of judgment against all Defendants for an amount to be determined at trial by jury.

Respectfully submitted,

/s/ Sara Garber
Counsel for Plaintiffs

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